

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

*In re Flint Water Cases 16-10444*

/ The Hon. Judith E. Levy  
United States District Judge

*Bellwether III Case No. 17-10164*

/

**NOTICE OF OBJECTION**  
**TO DESIGNATIONS OF PROTECTED MATERIAL**

Pursuant to the Court’s December 19, 2019 Confidentiality Order [Case No. 16-cv-10444, ECF No. 299],<sup>1</sup> Plaintiffs challenge the designations of the following documents previously produced by the Veolia Defendants (“Veolia”), each of which has been designated **CONFIDENTIAL** or **HIGHLY CONFIDENTIAL – FOR ATTORNEYS’ EYES ONLY:**

1. VWNAOS312084-  
VWNAOS312084.0014
2. VWNAOS172117-  
VWNAOS172117.0007
3. VWNAOS249154-  
VWNAOS249154.0028
4. VWNAOS526956-  
VWNAOS526956.0002

---

<sup>1</sup>*See also* Fifth Amended Case Management Order [Case No. 16-cv-10444, ECF No. 1255-3].

5. VWNAOS253997-  
VWNAOS253997.0006
6. VWNAOS528287-  
VWNAOS528287.0003
7. VWNAOS190643-  
VWNAOS190643.0004
8. VWNAOS249173-  
VWNAOS249173.0008
9. VWNAOS528217-  
VWNAOS528217.0002
10. VWNAOS311342-  
VWNAOS311342.0001
11. VWNAOS528078-  
VWNAOS528078.0006
12. VWNAOS527056-  
VWNAOS527056.0001
13. VWNAOS527055-  
VWNAOS527055.0001
14. VWNAOS312145-  
VWNAOS312145.0001
15. VWNAOS527065-  
VWNAOS527065.0002
16. VWNAOS527075-  
VWNAOS527075.0001
17. VWNAOS190682-  
VWNAOS190682.0005
18. VWNAOS528295-  
VWNAOS528295.0004

19.VWNAOS190581-  
VWNAOS190581.0006

20.VWNAOS311341-  
VWNAOS311341.0002

21.VWNAOS249923-  
VWNAOS249923.0017

22.VWNAOS528285-  
VWNAOS528285.0002

23.VWNAOS527058-  
VWNAOS527058.0001

24.VWNAOS527068-  
VWNAOS527068.0001

25.VWNAOS528584-  
VWNAOS528584.0002

26.VWNAOS172775-  
VWNAOS172775.0001

27.VWNAOS528157-  
VWNAOS528157.0008

28.VWNAOS249171-  
VWNAOS249171.0008

29.VWNAOS172752-  
VWNAOS172752.0002

30.VWNAOS528620-  
VWNAOS528620.0003

31.VWNAOS528715-  
VWNAOS528715.0001

32.VWNAOS249165-  
VWNAOS249165.0008

33.VWNAOS527047-  
VWNAOS527047.0003

34.VWNAOS249920-  
VWNAOS249920.0017

35.VWNAOS528685-  
VWNAOS528685.0001

36.VWNAOS527063-  
VWNAOS527063.0004

37.VWNAOS527073-  
VWNAOS527073.0008

38.VWNAOS552949-  
VWNAOS552949.0001

39.VWNAOS544979-  
VWNAOS544979.0001

40.VWNAOS234465-  
VWNAOS234465.0048

Plaintiffs informed Veolia of their formal challenge to these designations on September 14, 2023 via email.<sup>2</sup>

Veolia has not acknowledged the correspondence.

---

<sup>2</sup> September 14, 2023 correspondence to Veolia (Challenge to Confidentiality Designations), attached hereto as **Exhibit A** and incorporated by reference as if fully stated herein.

The subject documents do not contain confidential information under applicable law or pursuant to this Court's prior orders. Thus, because there is a profound public interest in the Flint Water Crisis and in this litigation (as Veolia and the Court have consistently stated); because the truth matters (as Veolia has vigorously and publicly argued);<sup>3</sup> and in light of Veolia's significant public presence online and Veolia's continued public misinformation campaign,<sup>4</sup> these documents must be de-designated as CONFIDENTIAL. Further, if any are made public, such would not cause oppression, competitive disadvantage, infringement of privacy rights established by statute or regulation, or infringement of confidentiality requirements established by statute or regulation with respect to government purchasing or other operations. Conversely, and perhaps most importantly, doing so might begin to level the playing field.

Dated: September 29, 2023

Respectfully submitted,

/s/ Corey M. Stern  
Corey M. Stern  
Melanie Daly  
605 Third Ave., 33rd Fl.  
New York, New York 10158  
cstern@levylaw.com  
mdaly@levylaw.com

---

<sup>3</sup> See @VNAFlintFacts: Description of Twitter handle, attached hereto as **Exhibit B** and incorporated by reference as if fully stated herein.

<sup>4</sup> See Declaration of Lauren H. Cohen, Ph.D., previously filed in Case No. 16-cv-10444 [ECF No. 2550], attached hereto as **Exhibit C** and incorporated by reference as if fully stated herein.

**CERTIFICATE OF SERVICE**

I, Corey Stern, hereby certify that on September 29, 2023 the foregoing document and the attached exhibits were served on all counsel of record via the court's ECF system.

/s/ Corey M. Stern  
Corey M. Stern